

REMARKS

Claims 1, 2, 4, 8, 11, 24, 30, 57, 64, 67, 80, 86, 87, 113, 114, 116, 120, 123, 136, 142, 143, 169-174, 181-183 and 187-189 stand rejected under 35 USC 103(a) as being unpatentable over Stelovsky in view of Wolzein. This rejection is respectfully traversed.

The pending claims all relate to providing a program signal that includes three separate elements: 1) an address identifying online content relating to a program; 2) a program; and 3) timing indicia for controlling when the address is used for retrieving online content relating to the program. Accordingly, in the claimed invention the timing indicia indicate when the online content is retrieved. More specifically, this means that the online content is not downloaded to the user's system until it is needed. Further, since the online content is not already on the system, the online content need not be downloaded to systems which do not have online access or onto systems in which the user has indicated that they do not want the online content.

Stelovsky details a system in which different segment tracks are synchronized in order to be played together. Unlike the claimed invention, the time indicia in Stelovsky do not indicate when to obtain the segments, rather the time indicia relate to when to play the segments. Accordingly, in Stelovsky the segments must already be on the user's system for the time indicia to be utilized. Further, Wolzein also fails to describe or suggest timing indicia that controls when content is retrieved.

Since neither Stelovsky nor Wolzein describe or suggest timing indicia that controls when content is retrieved as claimed, the rejection of claims 1, 2, 4, 8, 11, 24, 30, 57, 64, 67, 80, 86, 87, 113, 114, 116, 120, 123, 136, 142, 143, 169-174, 181-183 and 187-189 as being unpatentable over Stelovsky in view of Wolzein should be withdrawn.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is

determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing Attorney Docket No. 559442600207.

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Respectfully submitted,

By

Jonathan Bockman

Registration No.: 45,640

MORRISON & FOERSTER LLP

1650 Tysons Boulevard, Suite 300

McLean, Virginia 22102

(703) 760-7769